



**STATE OF TENNESSEE
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MEMORANDUM

CACL Bulletin: 12-001

TO: Child and Adult Care Licensing Staff
DHS and Community Child Care Partners

FROM: Joyce L. Turner, Child and Adult Care Licensing Program Manager

DATE: December 11, 2012

RE: Food Service Supervision Monitoring and Enforcement Guidelines

This memorandum replaces Food Service Supervision Memorandum/CCL Bulletin: 09-004 dated April 24, 2009.

Current Child Care Center Rules:

Tenn. Comp. R. & Regs. 1240-04-03-.11 FOOD.

(2) Meal Service.

(g) At mealtime, children shall be seated at tables and chairs of appropriate size, and adults shall sit with them.

Tenn. Comp. R. & Regs. 1240-04-03-.06 SUPERVISION.

(1) Supervision Procedures.

(b) Children six (6) weeks of age through nine (9) years of age:

1. The adult must be able to hear the child at all times, must be able to see the child with a quick glance, and must be able to physically respond immediately.
2. Exception during mealtime: An adult must be in the direct sight and sound of children ages six (6) weeks through five (5) years, not in kindergarten, while the child is eating.

While it is required that a caregiver sits with a child while the child is eating, there will be occasions when it becomes necessary for the caregiver to stand up from the table to attend to a meal or snack time issue that requires immediate attention. Acceptable issues include attending to a sick child or quickly retrieving a towel to attend to a spill. It is unacceptable to begin clearing the table and discarding uneaten food while any child is still eating. The most important point is that eating is a high risk activity and each child must be adequately supervised while eating. Even if a caregiver is meeting the letter of this rule and sitting with any and all children while eating, it is most important that the caregiver's attention is focused intently upon children while eating and on their immediate eating environment, and not engaging in other activities. If child care center caregivers are observed not sitting with children during meal or snack time and they are not attending to a meal and snack time issue, **Child Care Licensing Program Evaluators are required to cite the agency under the Food/Meal Service section of the center rules.**

Example: The caregiver is observed watching children eat while just standing near the table or counter. While the caregiver is meeting the general supervision rule, this is a violation of the Food/Meal Service rule. The caregiver is not sitting with children nor is she/he attending to a meal and snack time issue.

Child Care Licensing Program Evaluators will cite a violation of the supervision rule if they observe a caregiver not providing adequate supervision and focused attention during meals and snacks. In some instances if the caregiver is not sitting and not providing adequate supervision, the agency will be cited for violating both Food/Meal Service and Supervision rules.

Example: The caregiver is observed cleaning the table or preparing mats for nap time while the children or a child continues to eat at the table.

Example: The caregiver is observed texting on her cell phone while sitting at the table with children during meal and snack times.

Although the general focus of this revision continues to be about the child care center requirements for meal service and supervision, the information is relevant for all types of licensed care. It is our intent to make these rules consistent in the upcoming revision of the family and group home rules. Until then, let's continue to encourage and recommend all licensed family and group homes to follow these procedures and best practice. All caregivers should recognize that eating is a high risk activity for young children and to consider voluntary compliance with the supervision and meal service provisions in this memorandum.

CC: Licensed Child Care Agencies
Office of General Counsel